

Effective September 1, 2015.

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**DETERMINATION OF ELIGIBLE COSTS AND EXPENSES FOR  
PURPOSES OF THE FRANCHISE TAX CREDIT FOR THE  
REHABILITATION OF HISTORIC STRUCTURES**

**CHAPTER 805**

H.B. No. 3230

**AN ACT**

**relating to the determination of eligible costs and expenses for purposes of the franchise tax credit for the rehabilitation of historic structures.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 171.901(4), Tax Code, is amended to read as follows:

(4) "Eligible costs and expenses" means qualified rehabilitation expenditures as defined by Section 47(c)(2), Internal Revenue Code, *except that the depreciation and tax-exempt use provisions of that section do not apply to costs and expenses incurred by an entity exempt from the tax imposed under this chapter by Section 171.063, and those costs and expenses are eligible costs and expenses if the other provisions of Section 47(c)(2), Internal Revenue Code, are satisfied.*

SECTION 2. This Act applies only to a report originally due on or after the effective date of this Act.

SECTION 3. This Act takes effect January 1, 2016.

Passed by the House on May 4, 2015: Yeas 137, Nays 0, 2 present, not voting; passed by the Senate on May 24, 2015: Yeas 29, Nays 1.

Approved June 17, 2015.

Effective January 1, 2016.

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**ENFORCEMENT OF PERMIT REQUIREMENTS FOR THE  
OPERATION OF A DOMESTIC WASTEWATER TREATMENT  
FACILITY**

**CHAPTER 806**

H.B. No. 3264

**AN ACT**

**relating to the enforcement of permit requirements for the operation of a domestic wastewater treatment facility.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter L, Chapter 5, Water Code, is amended by adding Section 5.5146 to read as follows:

**Sec. 5.5146. EMERGENCY ORDER CONCERNING OPERATION OF CERTAIN TREATMENT FACILITIES WITHOUT PERMIT.** *The commission may issue an emergency order under this subchapter suspending operations of a treatment facility that:*

- (1) handles waste and wastewater from humans or household operations;*
- (2) is required to obtain a permit from the commission; and*
- (3) is operating without the required permit.*

SECTION 2. Subchapter B, Chapter 7, Water Code, is amended by adding Section 7.035 to read as follows:

*Sec. 7.035. INJUNCTION AND ENFORCEMENT RELATING TO CERTAIN TREATMENT FACILITIES. (a) Except as provided by Subsection (b), if the commission determines that a treatment facility that handles waste and wastewater from humans or household operations is operating without a permit required by the commission, the commission shall:*

*(1) issue an order:*

*(A) enjoining further operation of the facility until the commission issues the required permit; and*

*(B) imposing an administrative penalty under this chapter; or*

*(2) institute a civil action under Subchapter D to:*

*(A) enjoin further operation of the facility until the commission issues the required permit; and*

*(B) impose a civil penalty.*

*(b) If the commission determines there is no feasible alternative treatment or disposal option for the wastewater being sent to the treatment facility, including the option of hauling the wastewater to a permitted facility, the commission is not required to enjoin the operation of the facility under Subsection (a) and may impose other applicable penalties under this chapter.*

SECTION 3. The changes in law made by this Act apply only to a violation that occurs on or after the effective date of this Act. A violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 5, 2015: Yeas 142, Nays 3, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 31, Nays 0.

Approved June 17, 2015.

Effective June 17, 2015.

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**AUTHORITY OF THE EMPLOYEES RETIREMENT SYSTEM  
OF TEXAS TO MAKE AVAILABLE A TRICARE MILITARY  
HEALTH SYSTEM SUPPLEMENTAL PLAN**

**CHAPTER 807**

H.B. No. 3307

**AN ACT**

**relating to the authority of the Employees Retirement System of Texas to make available a TRICARE Military Health System supplemental plan.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter E, Chapter 1551, Insurance Code, is amended by adding Section 1551.227 to read as follows:

*Sec. 1551.227. TRICARE MILITARY HEALTH SYSTEM SUPPLEMENTAL PLAN. (a) The board of trustees shall make available a TRICARE Military Health System supplemental plan to an employee or annuitant who waives coverage under the basic coverage plan under Section 1551.1045 and is eligible for benefits under the TRICARE*